




PATENT
Customer No. 22,852
Attorney Docket No. 08702.0134-00000

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
Ling *et al.*) Group Art Unit: 1653
Application No.: 10/824,481) Examiner: Not yet assigned
Filed: April 15, 2004)
For: USE OF B7-H3 AS AN) Confirmation No.: 7025
IMMUNOREGULATORY AGENT)

I hereby certify that this correspondence is being deposited with the United States Postal Services under 37 C.F.R. § 1.8, with sufficient postage as first class mail in an envelope addressed to Commissioner for Patents, Alexandria, VA 22313, on August 18, 2004.


Judi Williams

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97(b)

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(b), Applicants bring to the attention of the Examiner the documents listed on the attached PTO 1449. This Information Disclosure Statement is being filed within three months of the filing date of the above-referenced application.

Copies of all listed documents except U.S. patents and published U.S. patent applications are attached.

Applicants respectfully request that the Examiner consider the listed documents and indicate that they were considered by making appropriate notations on the attached form.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that each or all of the listed documents are material or constitute "prior art." If the Examiner applies any of the documents as prior art against any claim in the application and Applicants determine that the cited documents do not constitute "prior art" under United States law, Applicants reserves the right to present to the office the relevant facts and law regarding the appropriate status of such documents.

Applicants further reserve the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

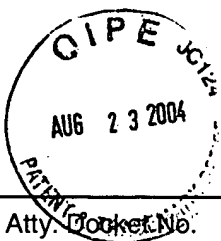
If there is any fee due in connection with the filing of this Statement, please charge the fee to our Deposit Account No. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

Dated: 8/18/04

By: E Stewart Mittler
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INFORMATION DISCLOSURE CITATION

Atty. Docket No.	08702.0134-00000	Appln. No.	not yet assigned
Applicant	LING et al.		
Filing Date	April 15, 2004	Group:	1653

U.S. PATENT DOCUMENTS

Examiner Initial*	Document Number	Issue Date	Name	Class	Sub Class	Filing Date If Appropriate
	2002/0168762		Chen, L.	435	325	07/26/01

FOREIGN PATENT DOCUMENTS

Document Number	Publication Date	Country	Class	Sub Class	Translation Yes or No

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

	Carreno et al., "The B7 family of ligands and its receptors: new pathways for costimulation and inhibition of immune responses," Annual Rev. Immunol., 20:29 (2002)
	Chapoval et al., "B7-H3: a costimulatory molecule for T cell activation and IFN-gamma production," Nat. Immunol. 2(3):269 (2001)
	Frauwirth et al., "Activation and inhibition of lymphocytes by costimulation," J. Clin. Invest., 109:295 (2002).
	Ostrov et al., "Structure of murine CTLA-4 and its role in modulating T cell responsiveness," Science, 290:816 (2000).
	Sharpe et al., "The B7-CD28 superfamily," Nature Rev. Immunol., 2:116 (2002).
	Sun et al., "Characterization of mouse and human B7-H3 genes," J. Immunol., 168:6294 (2002).

Examiner	Date Considered
*Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.	
Form PTO 1449	Patent and Trademark Office - U.S. Department of Commerce